

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1-5.

Applicants acknowledge with appreciation that claim 3 is allowable. However, for reasons set forth below, it is considered that all of the claims in this application are now in condition for allowance.

The above amendment is in response to points set forth in the Official Action.

Firstly, the above amendments to the specification are responsive to the objection set forth on page 2 of the Official Action.

With regard to the objection to claim 1, the Examiner's suggestion has been adopted.

With regard to the rejection of claim 3 as being a substantial duplicate of claim 4, this has been corrected by amending claim 4 to depend on claim 1 instead of claim 3.

Further, in the above amendment, the term "polyols" has been replaced by "tetraols", support for which is evident from page 3, line 14 of the present specification.

With regard to the rejection of claim 5 as indefinite, the above amendment revises claim 5 to clarify what was intended.

Turning to the rejections on prior art:

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated clearly by Vrancken et al (U.S. 3,952,032).

This rejection is respectfully traversed.

Vrancken et al. (U.S. 3,952,032) relates to an acrylated polyester resin obtained from one dicarboxylic acid, one polyol and acrylic acid. Vrancken et al. does not disclose or suggest use of a mixture of at least 2 different polycarboxylic acids with at least 2 different tetraols. Hence, claims 1 and 2 are novel and unobvious over Vrancken et al.

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated clearly by Ehrhart et al (U.S. 4,304,879).

This rejection is also respectfully traversed.

Ehrhart et al. (U.S. 4,304,879) relates to an acrylated polyester resin obtained from isophthalic acid and glycols. Glycols are di-ols containing only 2 free hydroxy groups. On the contrary, the present invention is related to the use of tetra-ols. Hence, claims 1 and 2 are novel and unobvious over Ehrhart et al.

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated clearly by Meixner et al (U.S. 4,983,712).

This rejection is respectfully traversed.

Meixner et al. (U.S. 4,983,712) relates to an acrylated polyester resin obtained from terephthalic and adipic acids and a polyol component containing a di-hydric alcohol and a tri-hydric alcohol. On the contrary, the present invention relates to the use of tetra-ols. Hence, claims 1 and 2 are novel and unobvious over Meixner et al.

Claims 1-5 have been rejected under 35 U.S.C. 103 over the above-discussed references.

These rejections are also respectfully traversed.

In addition to what has been stated above, none of the cited references teaches the use of at least 2 different tetraols in combination with at least 2 different polycarboxylic acids. Applicants have demonstrated in the examples presented in the specification, that the process according to the invention generates a product mixture with improved properties. For example, see page 15, line 20 to page 16, line 5. These unexpected properties could not have been foreseen and are unobvious from the cited references. Hence, it is further apparent that claims 1 to 5 are not obvious from these references, alone or combined.


No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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